

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor: Ian Mayes
Assignee: Nanometrics Incorporated
Title: Monitoring Apparatus And Methods For Improving The Accuracy And Repeatability Of Electrochemical Capacitance Voltage (ECV) Measurements
Application No.: 10/520,439 Filing Date: April 5, 2006
Examiner: Robert J. Kasten Group Art Unit: 1795
Docket No.: NAN143 US 8016 Confirmation No.: 5914

Saratoga, California
September 14, 2009

MS Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

This paper is being filed in response to the Restriction Requirement dated August 17, 2009, which had a statutorily shortened period for response that ends September 17, 2009.

Applicants hereby elect to have the invention of Group I – Claims 1-7 examined. Please withdraw from consideration Claims 8-26, which are drawn to the invention of Group II. Applicants reserve the right to seek examination of the invention of Group II in divisional application.

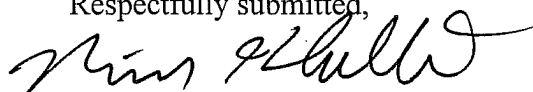
It is believed that no fees are due. However, if the Patent Office determines that an extension and/or other relief is required, the Commissioner is authorized to charge the cost of such petitions and/or other fees due in connection with this filing of this document to **Deposit Account No. 50-2263** referencing NAN143 US 8016.

Should the Examiner have any questions concerning this response, the Examiner is invited to call the undersigned at (408) 378-7777 ext.112.

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Respectfully submitted,



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